

**Notice of Allowability**

Application No.

09/154,431

Examiner

Duc T. Duong

Applicant(s)

MENARD ET AL.

Art Unit

2663

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/2/04.
2. ☒ The allowed claim(s) is/are 1-4,7,10,6,8-12,14-21,24,23,25,26-31,and 33-38; now renumbered 1-34,respectively.
3. ☒ The drawings filed on 16 September 1998 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
RICKY NGO  
PRIMARY EXAMINER

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Sean O'Hanlon on January 31, 2005.

2. The application has been amended as follows:

In claim 1, line 7, the “;” has been removed and inserted with --, wherein said controller circuit includes a telephone number database of telephone numbers that may be reached via the packet network--.

In claim 6, line 7, the “;” has been removed and inserted with --, wherein said controller circuit includes a telephone number database of telephone numbers that may be reached via the packet network--.

In claim 8, line 9, after “said” inserted --controller circuit being so configured as to route said outgoing call to one of said telephone line and said packet network interfaces depending on--.

In claim 8, line 10, the first “is” has been removed.

In claim 9, line 7, the “;” has been removed and inserted with --, wherein said controller circuit includes a telephone number database of telephone numbers that may be reached via the packet network--.

In claim 9, line 8, after the first "said" inserted --controller circuit being so configured as to route said outgoing call to one of said telephone line and said packet network interfaces depending on--.

In claim 9, line 8, the "is" has been removed.

In claim 19, line 4, the ";" has been removed and inserted with --, and wherein the controller circuit includes a telephone number database of telephone numbers that may be reached via the packet network--.

In claim 19, line 8, after "software" inserted --in the controller circuit--.

In claim 23, line 4, the ";" has been removed and inserted with --, and wherein the controller circuit includes a telephone number database of telephone numbers that may be reached via the packet network--.

In claim 23, line 8, after "software" inserted --in the controller circuit--.

In claim 25, line 4, the ";" has been removed and inserted with --, and wherein the controller circuit includes a telephone number database of telephone numbers that may be reached via the packet network--.

In claim 25, line 8, after "software" inserted --in the controller circuit--.

In claim 25, line 13, "a" has been removed and inserted with --the telephone number--.

In claim 25, line 14, before "database" inserted --telephone number--.

In claim 33, line 3, after "to a" inserted --user's home--.

In claim 33, line 7, the ";" has been removed and inserted with --, wherein said controller circuit includes a telephone number database of telephone numbers that may be reached via the packet network--.

In claim 36, lines 1-3, "said controller circuit includes a telephone number database of telephone numbers that may be reached via the packet network, and" has been removed.

The above examiner's amendment was made to place the claims allowable.

***Allowable Subject Matter***

3. Claims 1-4, 5, 6-12, 14-21, 23-31, and 33-38 are allowed.

The following is an examiner's statement of reasons for allowance: The prior art of record, Koyama (US Patent 5,654,957) discloses a packet communication system and method for routing an outgoing call to either a telephone network or a packet network. However, the prior of record fails to teach or make obvious the steps of or means for **"controller includes a telephone number database of telephone numbers that may be reached via a packet network"**, when such controller is consider within the specific structure or combination of steps recited in the device of claims 1, 6, 8, 9, and 33 or the method of claims 19, 23, and 25. The prior art of record fails to teach or make obvious the steps or means for **"controller circuit being so configured as to either route said telephone interface to one of said telephone line and said packet network interfaces or route said Local Area Network interface to one of said telephone line and said packet network interfaces, depending on at least one preestablished routing rule"**, when such controller is considered within the specific structure or combination of steps recited in the device of claim 11 or the method of claim 26. Any comments considered necessary by applicant

must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


### ***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc T. Duong whose telephone number is 571-272-3122. The examiner can normally be reached on M-F (9:00 AM-5:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Q. Ngo can be reached on 571-272-3139. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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DD

  
RICKY NGO  
PRIMARY EXAMINER  
2/7/05